

AO 91 (Rev 8/01) Criminal Complaint

United States District Court
Southern District of Texas
FILED

United States District Court

DEC 23 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Ivan Penaloza-Gomez

AKA: Daniel Gomez

IAE

YOB: 1977

Mexico

(Name and Address of Defendant)

CRIMINAL COMPLAINT

Case Number: M-19-3143 -M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about December 22, 2019 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Roma, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Ivan Penaloza-Gomez was encountered by Border Patrol Agents near Roma, Texas on December 22, 2019. The investigating agent established that the defendant was an undocumented alien and requested record checks. The defendant claims to have illegally entered the United States on December 22, 2019, near Roma, Texas. Record checks revealed the defendant was formally deported/excluded from the United States on October 24, 2013 through Harlingen, Texas. Prior to deportation/exclusion the defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On February 28, 2012 the defendant was convicted of 8 USC 1326 Being Found in the US After Previous Deportation and sentenced to twenty-six (26) months confinement.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ NoComplaint authorized by AUSA LAURA GARCIA *LG**LG*
Signature of Complainant

Sworn to before me and subscribed in my presence,

December 23, 2019

Date

3:48 PM

Jon Chan

Printed Name of Complainant

Peter E Ormsby

, U.S. Magistrate Judge

Name and Title of Judicial Officer

Peter E Ormsby
Signature of Judicial Officer